IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.13139 of 1999

Between:

1 K.Pramila Rani W/o.E.Sanyasi Rao
R/o.Chodavaram, Visakhapatnam
2 B.Venkat Rao S/o.Venkaiah
R/o.Chodavaram, Visakhapatnam

..... PETITIONERS

AND

1 The Secretary to Government,

Legislative Affairs and Justice,

State of Andhra Pradesh, Hyderabad
2 Director of Prosecution, State of Andhra Pradesh,

Hyderabad
3 Chairman, State Level Police Recruitment Board,

Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order, or Direction, more particularly one in nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing the notification No. RC No.346/R & T/Admn.1/99, dt.31/5/1999 as illegal, arbitrary and unjust and contrary to the Article 14 and 16 of Constitution of India and quash the same.

Counsel for the Petitioner: Mr. V.VISWANATHAM

Counsel for the Respondents: GP FOR HOME

The Court made the following :

O R D E R:

For the reasons given in the Judgment in W.P.No.33157 of 1998, which is pronounced today itself, this writ petition is also liable to be dismissed. The notification dated 31-5-1999, which is challenged in this writ petition, cannot be said to be illegal or arbitrary, since it pertains to third recruitment only, as the first notification of limited recruitment for filling up of posts of Assistant Public Prosecutors Grade-II was issued by the 3rd respondent-Board in the year 1992 and the second notification in the year 1997. Unless the process of third (special) recruitment under the impugned notification is completed and the posts are dereserved for the purpose of appointing SC candidates and issuing a proper notification thereafter, those vacancies cannot be filled up. Accordingly, the Writ Petition is dismissed. No costs.

9-12-2004

prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary to Government,

Legislative Affairs and Justice,

State of Andhra Pradesh, Hyderabad
2 Director of Prosecution, State of Andhra Pradesh,

Hyderabad
3 Chairman, State Level Police Recruitment Board,

Hyderabad

4 2CCs to Government Pleader for Home, High Court Buildings, Hyderabad (OUT)

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